

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 912**  
93RD GENERAL ASSEMBLY

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Reported from the Committee on Education, March 16, 2006, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

4591S.02C

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**AN ACT**

To amend chapter 161, RSMo, by adding thereto one new section relating to the establishment of a virtual school.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 161, RSMo, is amended by adding thereto one new  
2 section, to be known as section 161.670, to read as follows:

**161.670. 1. Notwithstanding any other law, prior to July 1, 2007,**  
2 **the state board of education shall establish a virtual school to serve**  
3 **school-age students residing in the state. The virtual school shall offer**  
4 **instruction in a virtual setting using technology, intranet, and/or**  
5 **Internet methods of communication. Any student under the age of**  
6 **twenty-one in grades kindergarten through twelve who resides in this**  
7 **state shall be eligible to enroll in the virtual school regardless of the**  
8 **student's physical location.**

9 **2. For purposes of calculation and distribution of state school**  
10 **aid, students enrolled in a virtual school shall be included, at the**  
11 **choice of the student's parent or guardian, in the student enrollment of**  
12 **the school district in which the student physically resides. The virtual**  
13 **school shall report to the district of residence the following information**  
14 **about each student served by the virtual school: name, address,**  
15 **eligibility for free or reduced-price lunch, limited English proficiency**  
16 **status, special education needs, and the number of courses in which the**  
17 **student is enrolled. The virtual school shall promptly notify the**  
18 **resident district when a student discontinues enrollment. A "full-time**  
19 **equivalent student" is a student who successfully has completed the**  
20 **instructional equivalent of six credits per regular term. Each virtual**  
21 **course shall count as one class and shall generate that portion of a full-**  
22 **time equivalent that a comparable course offered by the school district**

23 would generate. In no case shall more than the full-time equivalency  
24 of a regular term of attendance for a single student be used to claim  
25 state aid. Full-time equivalent student credit completed shall be  
26 reported to the department of elementary and secondary education in  
27 the manner prescribed by the department. Nothing in this section shall  
28 prohibit students from enrolling in additional courses under a separate  
29 agreement that includes terms for paying tuition or course fees.

30 3. When a school district has one or more resident students  
31 enrolled in a virtual school program authorized by this section, whose  
32 parent or guardian has chosen to include such student in the district's  
33 enrollment, the department of elementary and secondary education  
34 shall disburse an amount corresponding to fifteen percent of the state  
35 aid under sections 163.031 and 163.043, RSMo, attributable to such  
36 student to the resident district. Subject to an annual appropriation by  
37 the general assembly, the department shall disburse an amount  
38 corresponding to eighty-five percent of the state adequacy target  
39 attributable to such student to the virtual school.

40 4. Except as specified in this section and as may be specified by  
41 rule of the state board of education, the virtual school shall comply  
42 with all state laws and regulations applicable to school districts,  
43 including but not limited to the Missouri school improvement program  
44 (MSIP), adequate yearly progress (AYP), annual performance report  
45 (APR), teacher certification, and curriculum standards. Any rule or  
46 portion of a rule, as that term is defined in section 536.010, RSMo, that  
47 is created under the authority delegated in this section shall become  
48 effective only if it complies with and is subject to all of the provisions  
49 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This  
50 section and chapter 536, RSMo, are nonseverable and if any of the  
51 powers vested with the general assembly pursuant to chapter 536,  
52 RSMo, to review, to delay the effective date, or to disapprove and annul  
53 a rule are subsequently held unconstitutional, then the grant of  
54 rulemaking authority and any rule proposed or adopted after August  
55 28, 2006, shall be invalid and void.

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